

units other than the mishap unit or a unit subordinate to the mishap unit; and

"(2) in the case of a board consisting of more than one member, at least one member of the board is a member of the armed forces or an officer or an employee of the Department of Defense who possesses knowledge and expertise relevant to aircraft accident investigations.

"(b) EXCEPTION.—(1) The Secretary of the military department concerned may waive the requirement of subsection (a)(1) in the case of an aircraft accident if the Secretary determines that—

"(A) it is not practicable to meet the requirement because of—

"(i) the remote location of the aircraft accident;

"(ii) an urgent need to promptly begin the investigation; or

"(iii) a lack of available persons outside of the mishap

unit who have adequate knowledge and expertise regarding

the type of aircraft involved in the accident; and

"(B) the objectivity and independence of the aircraft accident investigation board will not be compromised.

Notification.

waiver exercised

"(2) The Secretary shall notify Congress of a

under this subsection and the reasons therefor.

"(c) CONSULTATION REQUIREMENT.—In the case of an aircraft

accident investigation board consisting of a single member,

the member shall consult with a member of the armed forces

or an officer or an employee of the Department of Defense who

possesses knowledge and expertise relevant to aircraft accident investigations.

"(d) DESIGNATION OF CLASS A ACCIDENTS.—Not later than 60

days after an aircraft accident involving an aircraft under

the jurisdiction of the Secretary of a military department,

the Secretary shall determine whether the aircraft accident should be

designated as a Class A accident for purposes of this section.

"(e) DEFINITIONS.—In this section:

"(1) The term 'Class A accident' means an accident

involving an aircraft that results in—

"(A) the loss of life or permanent disability;

"(B) damages to the aircraft, other property, or a com-

bination of both, in an amount in excess of the amount

specified by the Secretary of Defense for

purposes of deter-

mining Class A accidents; or

"(C) the destruction of the aircraft.

"(2) The term 'mishap unit', with respect to an aircraft

accident investigation, means the unit of the  
armed forces  
(at the squadron or battalion level or equivalent)  
to which  
was assigned the flight crew of the aircraft that  
sustained  
the accident that is the subject of the investigation.".  
(2) The table of sections at the beginning of  
subchapter II  
of such chapter is amended by adding at the end  
the following  
new item:

"2255. Aircraft accident investigation boards: composition  
requirements."

Applicability. (b) EFFECTIVE DATE. — Section 2255 of title 10.  
United States  
10 USC 2255 Code, as added by subsection (a). shall apply  
with respect to any  
aircraft accident investigation board convened by the  
Secretary  
of a military department after the end of the six-month  
period  
beginning on the date of the enactment of this Act.